IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15854 of 2005

Between:

Smt. Y. Madhavi Reddy, W/o.Y.Achyutha Reddy, Hindu
R/o. No.620, Road No.12, Banjarahills, Hyderabad-34.

..... PETITIONER

AND

The Mandal Revenue Officer Medchal Mandal, Ranga Reddy District.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondent in attempting to dispossess the petitioner from the lands situated in sy. No. 127/7 admeasuring Ac 4.00 Guntas & in Sy.No.127/3, admeasuring Ac 2.00 guntas (A total of Ac 6.00 Guntas), situated at koinaipally village Medchal Mandal Ranga Reddy District without following the due process of Law and without considering the explanation submitted by the petitioner to the show cause Notice No.B/88/2005/08, dt .25/5/05 as illegal, arbitrary, unjust and violative of Articles 19 and 21 of the Constitution of India and consequently direct the respondent not to take any coercive steps and to grant such other relief or reliefs as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.G.BABU RAO

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the admission stage, made the following :

ORDER:

This Writ Petition is filed apprehending threat of dispossession of the petitioner by the respondent from the agricultural lands admeasuring Ac 4.00 in Survey No.127/7 and Ac.2.00 in Survey No.127/3 situated at Konaipally Village, Medchal Mandal, Rangareddy District, which were purchased by the petitioner under Registered Sale Deeds dated 27.03.1995 and 31.03.1995 respectively on the ground that the petitioner is in possession of the assigned lands contrary to sub Section 2 of Section 3 of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977.

It is the case of the petitioner that the respondent has issued a show cause notice dated 25.05.2005 under Rule 3 of the A.P. Assigned Lands (Prohibition of Transfers) Rules, 1977 directing the petitioner to show cause within fifteen days from the date of receipt of the notice as to why she should not be summarily evicted from the said land and as to why any crop or other product raised on the lands and any building or other constructions erected or any thing deposited thereon should not be forfeited and that the petitioner submitted her explanation to the said show cause notice on 28.06.2005. Pending consideration of the said explanation and passing a final order, the respondent-authorities are visiting the lands of the petitioner frequently and threatening to dispossess the petitioner without following the due process of law. Hence, the Writ Petition.

Considering the facts and circumstances of the case, I deem it appropriate to dispose of the Writ Petition at the admission stage with a direction to the respondent to consider the explanation submitted by the petitioner in reply to the show cause

notice dated 25.05.2005 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of the Order after giving opportunity of being heard to the petitioner. Till such time, the respondent is directed not to evict the petitioner from the lands in question.

With the above direction, the Writ Petition is disposed of. No order as to costs.

(ELIPE DHARMA RAO, J)

Dt: 21.07.2005

bsv/lvl

To

1. The Mandal Revenue Officer, Medhal Mandal

   Rangareddy District

2. Two CCS to the Government Pleader for Revenue, High Court of A.P., Hyderabad (OUT)

3. Two CD copies